

nominations of G. Patrick Murphy for a vacancy on the Federal bench of the Southern District of Illinois and Michael P. McCluskey for a judicial emergency vacancy on the Federal bench for the Central District of Illinois.

Nor is the Senate today taking action on the nomination of Edward Shea to the Federal bench for the Eastern District of Washington, Judge Jeremy Fogel to the judicial emergency vacancy on the Federal bench for the Northern District of California or Margaret McKeown to a judicial emergency vacancy on the U.S. Court of Appeals for the Ninth Circuit.

Judge Young has been with the Vandenberg Circuit Court of Indiana since 1990. After Senator LUGAR came to the Judiciary Committee to testify in his behalf, Judge Young was reported by the Committee without a single dissenting vote. The American Bar Association gave Judge Young its highest rating.

I believe there will be a unanimous vote in support of this nomination and want to congratulate him and his family.

The Senate returns this week facing 85 Federal court vacancies—85. Despite the Senate's dismal record for 2 years running in acting on judicial nominations, I finally saw reason to hope that the extremism that has bedeviled this process might be losing a tiny bit—a tiny bit—of its hold on the Senate.

Few nominees have been targeted as heavily for defeat as was Margaret Morrow, a superbly qualified nominee for a district court judgeship in Southern California. She endured waves of questions, protracted stalling and mysterious holds that prevented an up-or-down vote. Finally, 2 years after she was nominated, she got an overwhelming, super majority, positive vote here in the Senate. I wanted to take that as a signal that public concerns about these logjams were beginning to register with the Senate.

But, unfortunately, that nomination was the last nomination confirmed by the Senate in February. We closed out our first 2 months this year with only five confirmations for article III judges.

Chief Justice William Rehnquist spoke forcefully on the judicial vacancy crisis that is plaguing the Federal courts. He warned: "Vacancies cannot remain at such high levels indefinitely without eroding the quality of justice that traditionally has been associated with the Federal judiciary."

Justice delayed means justice denied, because without judges courts cannot try cases, sentence the guilty or resolve civil disputes. Partisan and narrow ideological efforts to impose political litmus tests on judicial nominees and to shut down the judiciary must stop.

We began this year facing vacancies in about one out of every 10 judgeships, and about one-third were judicial emergency vacancies which have been empty for more than a year and a half.

Mr. President, if all we are going to do so far is two judges a month, and we have 85 vacancies, the Senate is not living up to its responsibilities. The Senate is not upholding the Constitution of the United States and not fulfilling our responsibilities to the judicial branch or the American people.

The first week of this session I challenged the Senate to maintain the pace that it reached last fall when we confirmed 27 judges in the last nine weeks of the session. In the first four weeks of this new session, however, we have acted to confirm only five judges. Judge Young will be the sixth judge confirmed in this our fifth week in session. We are well short of the mark and not measuring up to the pace this very Senate attained last fall. I, therefore, urge the Majority Leader to take up the nominations of G. Patrick Murphy, Michael P. McCluskey, Edward F. Shea, Jeremy D. Fogel and M. Margaret McKeown without further delay.

Mr. President, I withhold my time remaining, and, if we are ready to go for a vote, I will yield it.

Mr. CHAFEE. Mr. President, we have time on this side. I am prepared to yield all that time and go to a vote.

Mr. LEAHY. I yield time on this side.

The PRESIDING OFFICER. All time is yielded. The question is, Will the Senate advise and consent to the nomination of Richard L. Young to be United States District Judge for the Southern District of Indiana? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Utah (Mr. BENNETT), the Senator from New York (Mr. D'AMATO), the Senator from North Carolina (Mr. FAIRCLOTH), the Senator from North Carolina (Mr. HELMS), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Mr. MURKOWSKI), the Senator from Oklahoma (Mr. NICKLES), the Senator from Alabama (Mr. SHELBY), the Senator from Maine (Ms. SNOWE), and the Senator from Virginia (Mr. WARNER), are necessarily absent.

Mr. FORD. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from California (Mrs. BOXER), the Senator from Georgia (Mr. CLELAND), the Senator from North Dakota (Mr. DORGAN), the Senator from Massachusetts (Mr. KERRY), the Senator from Nebraska (Mr. KERREY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Illinois (Ms. MOSELEY-BRAUN) are necessarily absent.

The PRESIDING OFFICER (Mr. GRAMS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 81, nays 0, as follows:

[Rollcall Vote No. 18 Ex.]

YEAS—81

Abraham	Allard	Baucus
Akaka	Ashcroft	Bingaman

Bond	Glenn	Lugar
Breaux	Gorton	Mack
Brownback	Graham	McCain
Bryan	Gramm	McConnell
Bumpers	Grams	Moynihan
Burns	Grassley	Murray
Byrd	Gregg	Reed
Campbell	Hagel	Reid
Chafee	Harkin	Robb
Coats	Hatch	Roberts
Cochran	Hollings	Rockefeller
Collins	Hutchinson	Roth
Conrad	Hutchison	Santorum
Coverdell	Inouye	Sarbanes
Craig	Jeffords	Sessions
Daschle	Johnson	Smith (NH)
DeWine	Kempthorne	Smith (OR)
Dodd	Kennedy	Specter
Domenici	Kohl	Stevens
Durbin	Kyl	Thomas
Enzi	Lautenberg	Thompson
Feingold	Leahy	Thurmond
Feinstein	Levin	Torricelli
Ford	Lieberman	Wellstone
Frist	Lott	Wyden

NOT VOTING—19

Bennett	Helms	Murkowski
Biden	Inhofe	Nickles
Boxer	Kerrey	Shelby
Cleland	Kerry	Snowe
D'Amato	Landrieu	Warner
Dorgan	Mikulski	
Faircloth	Moseley-Braun	

The nomination was confirmed.

The PRESIDING OFFICER. If there is no objection, the motion to reconsider is laid on the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MORNING BUSINESS

Mr. MCCAIN. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL SAFE PLACE WEEK

Mr. CRAIG. Mr. President, I would like to take this opportunity to commend my colleagues on adopting Senate Resolution 96, which designates March 15 through 21 of this year as "National Safe Place Week."

Project Safe Place is a unique union of community agencies and the private sector that promotes the well-being of our nation's youth. It is an innovative network of nonresidential community locations where youth who are at-risk or in crisis situations can obtain help quickly and find shelter if necessary. Safe Place cultivates community involvement to combat child abuse, substance addiction, and crime.

Since its creation in 1983 in Louisville, Kentucky, the scope of Project Safe Place has spread to include more than 8,000 Safe Places nationwide, and more than 27,000 young people have sought help at these locations. We all agree that our nation's youth are our most valuable resource. Project Safe